

Drawing the Color Line in Kansas City

The Creation of Sumner High School

by David J. Peavler

In a recent article published as part of *Kansas History's* "Review Essay Series," historian James Leiker surveyed the existing scholarship dealing with race relations in Kansas. In his conclusion, he aptly summarized the research by declaring that the state was a "paradox" because Kansans' racial attitudes were "neither consistent nor monolithic." Due to the complexities of the subject, Leiker emphasized the need for further study of various groups, indicating that each survey should take into consideration the impact of local factors.¹

A detailed exploration of the campaign to create a segregated high school in Kansas City, Kansas, illustrates the benefit of such an approach. The campaign reveals that an overwhelming majority of the city's white residents favored the expansion of segregation. The caution and detachment displayed by those who favored the separation, however, suggests that these Kansans' racial mores were unique compared with other regions. Although race was the real issue, even the most ardent supporters of the Kansas City campaign publicly denied their own prejudice, emphasizing instead the overcrowded conditions of the current school or the racial attitudes of others that made the separation necessary. While most whites attempted to disavow their own racial antipathies by insisting that separa-



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1. James N. Leiker, "Race Relations in the Sunflower State," *Kansas History: A Journal of the Central Plains* 25 (Autumn 2002): 236. For an overview of recent scholarship on Kansas history relating not only to race and ethnicity but also gender and other issues, see Rita G. Napier, "Rethinking the Past, Reimagining the Future," *ibid.* 24 (Autumn 2001): 218–47.

Kansas History: A Journal of the Central Plains 27 (Autumn 2005): 188–201.



An early group of Sumner High School students.

tion would benefit students of both races, most members of the black community clearly understood the intent of the plan and the consequences for their children. These men and women organized an extraordinary resistance movement that utilized the legislative, executive, and judicial branches of the state government.

Despite the popular image of territorial Kansas as an abolitionist stronghold, historians have demonstrated that true abolitionists made up a fraction of the population. With rare exceptions, even the most radical within this group rejected notions of racial equality. Early settlers came to the region for land or other opportunities in

Kansas. They did not wish to participate in the free state/proslavery contest and hoped to avoid the escalating "border war." Like any group of immigrants, Kansans were more likely to share the racial antipathies of the regions they came from than shed their beliefs upon crossing the Missouri River. These various attitudes would be manifest throughout the early years of the state, making the race question a contentious issue long after the question of slavery was resolved.²

2. Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press, 1970), 301–17; Leiker, "Race Relations in the Sunflower State," 214–36; Paul E.

Although most white Kansans were opposed to the idea of social equality for blacks—a condition many feared might occur after years of social interaction by attending the same theatres, living in the same neighborhoods, and sending their children to the same schools—many were equally uncomfortable with the outright denial of such basic needs. Segregation offered a “compromise” in its chimerical promises of separate but equal, yet demographic trends in the late nineteenth century, not to mention state law, made broad implementation of such a system nearly impossible. By the turn of the century, however, the largest cities in the state each had sizable black populations with Kansas City’s growing black communities representing 13 percent of all its citizens. Although this actually was a smaller percentage than many eastern cities in the state, Kansas City’s total black population was still larger than those of Lawrence, Leavenworth, and Wichita combined.³

Unlike many areas of the nation at the turn of the century, racial segregation in Kansas was far from universal. Few white Kansans spoke out against the informal and *de facto* forms of segregation that existed within neighborhoods and public spaces, but attempts to codify racial mores were rare. The Kansas legislature passed a series of school laws that usually allowed but did not require racial segregation and finally settled on an 1879 statute that permitted segregation at the elementary level only within cities of the first class (those with a population greater than fifteen thousand). But the law was enforced only upon smaller communities if plaintiffs endured lengthy court proceedings. Although some communities maintained various schemes of racially segregated schools outside the law, other cities such as Emporia and Hutchinson refused

to entertain the practice even after reaching the population level where such a system was permitted.⁴

Given this ambivalent legacy as background, it is not surprising to find that in February 1905 a law was passed granting the school district of Kansas City, Kansas, an exemption from the state law, which prohibited racial segregation at the high school level.⁵ Contrary to his professed beliefs, an apologetic Governor Edward W. Hoch signed the bill after offering a duplicitous explanation of his actions as an attempt to distance himself from the campaign. Echoing the statements of many white Kansans who nervously endorsed the separation, the governor referred to segregation as “a great step backwards” which he felt had been made necessary by the beliefs and actions of lesser men. Despite a well-organized campaign led by the members of the black community, Sumner High School would soon open its doors as the first and only legally segregated high school in Kansas. Its enrollment would remain nearly 100 percent African American until the late 1970s.⁶

Although the grammar schools of Kansas City, Kansas, were completely segregated by 1890, the same state law that permitted this practice in cities with more than fifteen thousand residents specifically forbade it at the high school level. The fact that so few students of any race attended high school prior to the turn of the century made separation at this level rather impractical. Most white Kansans could tolerate a handful of black students within their nascent high schools, but rising enrollment and the rapid growth of the black community at the end of the nineteenth century led some whites to question this arrangement. Besides, Kansas City High School was becoming overcrowded, and advocates for a segregated high

Wilson, *A Time to Lose: Representing Kansas in Brown v. Board of Education* (Lawrence: University Press of Kansas, 1995), 30; Bill Cecil-Fronsman, “‘Advocate the Freedom of White Men, As Well As That of Negroes’: The Kansas Free State and Antislavery Westerners in Territorial Kansas,” *Kansas History: A Journal of the Central Plains* 20 (Summer 1997): 105.

3. U.S. Bureau of the Census, *Twelfth Census: Population, 1900* (Washington, D.C.: National Archives and Records Service, General Services Administration, 1996). The state constitution and probably most Kansans supported the principle of education for all children, albeit on a segregated basis in those areas that had large minority populations. The most comprehensive survey of this subject appears in James Carothers Carper, “The Published Opinions of Kansans Concerning Education, 1854–1900” (Ph.D. diss., Kansas State University, 1977). See also Carper, “The Popular Ideology of Segregated Schooling: Attitudes Toward the Education of Blacks in Kansas, 1854–1900,” *Kansas History: A Journal of the Central Plains* 1 (Winter 1978): 254–65.

4. For studies of individual Kansas communities, see Thomas C. Cox, *Blacks in Topeka, Kansas, 1865–1915: A Social History* (Baton Rouge: Louisiana State University Press, 1982); Judith Laird, “Argentine, Kansas: The Evolution of a Mexican–American Community, 1905–1940” (Ph.D. diss., University of Kansas, 1975); Nupur Chaudhuri, “‘We All Seem Like Brothers and Sisters’: The African–American Community in Manhattan,

Kansas, 1865–1940,” *Kansas History: A Journal of the Central Plains* 14 (Winter 1991–1992): 270–88; Sondra Van Meter, “Black Resistance to Segregation in the Wichita Public Schools, 1870–1912,” *The Midwest Quarterly* 20 (Autumn, 1978): 64–77.

5. Wilson, *A Time to Lose*, 32–42; Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America’s Struggle for Equality* (New York: Alfred A. Knopf, 1976), 371; Daniel G. Neuenswander, “A Legal History of Segregation in the Kansas Public Schools From Statehood to 1970” (Ph.D. diss., University of Kansas, 1973); Bernard D. Reams and Paul E. Wilson, “Segregation and the Fourteenth Amendment in the States: A Survey of State Segregation Laws 1865–1953,” document prepared for the United States Supreme Court in re: *Brown v. Board of Education of Topeka*, 1975, 183–93; Mary L. Dudziak, “The Limits of Good Faith: Desegregation in Topeka, Kansas, 1950–1956,” *Law and History Review* 5 (1987): 357–62; J. Morgan Kousser, “Before Plessy, Before Brown: The Development of the Law of Racial Integration in Louisiana and Kansas,” in *Toward a Usable Past: Liberty Under State Constitutions*, ed. Paul Finkelman and Stephen Gottlieb (Athens: University of Georgia Press, 1991), 213–70; *Topeka Plaindealer*, February 3, March 3, 1905.

6. “Message From the Governor,” *Kansas House Journal*, February 22, 1905, 723; *Kansas City Times*, May 29, 1978.

school to accommodate the nearly one hundred black secondary students were occasionally heard. If racial tension existed within the school itself, however, it was not manifest until 1904 when a seemingly unrelated episode gave pretext for its expression.⁷

Several different versions of the events of Tuesday afternoon, April 12, 1904, exist, but no amount of revision could change the only fact that mattered to the majority of Kansas City's white population. Roy Martin, a popular white student of Kansas City High School, had been killed by Louis Gregory, an eighteen-year-old black employee of the Swift meat packing plant. Gregory had shot Martin with a revolver that he carried for protection on his way to and from work. Martin, who felt little need for such protection among his white teammates at Kerr Park, started the altercation that led to the deadly shooting.⁸

The hyperbole of the local press intensified the indignation of Martin's classmates and other community members. Some reporters portrayed the event as racially motivated, using headlines such as "School Boy Shot Down in Cold Blood by Gregory, the Negro." Although there had never been a racially motivated lynching in Kansas City, many feared for the safety of young Gregory, and a hand-

ful of black men armed themselves and stood guard at the Wyandotte County Jail to protect the suspect. Several historians claim that Gregory's survival would have been uncertain at best had it not been for the courageous stand of these men who reportedly formed a column and declared that "the first man to cross this line is eating his breakfast in Hell in the morning."⁹

HOW MARTIN WAS KILLED.

The School Boy Shot Down in Cold Blood by Gregory, the Negro.

The killing of Roy Martin at Kerr's park was cold blooded. The boy, with several other students of the High school, had gone to the race track to exercise in running. R. L. Ward, one of the teachers, was with them, and he took a great interest in their sport. A crowd of fifteen or twenty negroes was standing in the inclosure beside the track, and as the boys passed the judges' stand the negroes would jeer them, using insulting remarks.

The white boys paid little attention to the negroes, until finally Martin, who was

The above article appeared in the April 13, 1904, issue of the Kansas City Star. Like other white newspapers, it portrayed the shooting of Roy Martin as a race-related incident.

7. While black scholars constituted 17 percent of the school-age population in 1889, black enrollment made up less than 5 percent of the enrollment of Kansas City High School. By the time of Roy Martin's death, that percentage remained the same in the grammar schools but had increased to 9 percent in the high school representing seventy-four black students. Kansas State Board of Education, *Annual Report, July 31, 1889* (Wyandott, Kans.: Department of Public Instruction, 1889); *Annual Report of First Class Cities to the State Superintendent of Education, June 30, 1904*; Kansas *General Statutes* (1901): 1258; William W. Boone, *A History of Black Education in Kansas City, Kansas* (Kansas City: Kansas City Kansas Community College, 1986); *Columbian History of Education in Kansas* (Topeka: Hamilton Printing Co., 1893), 229.

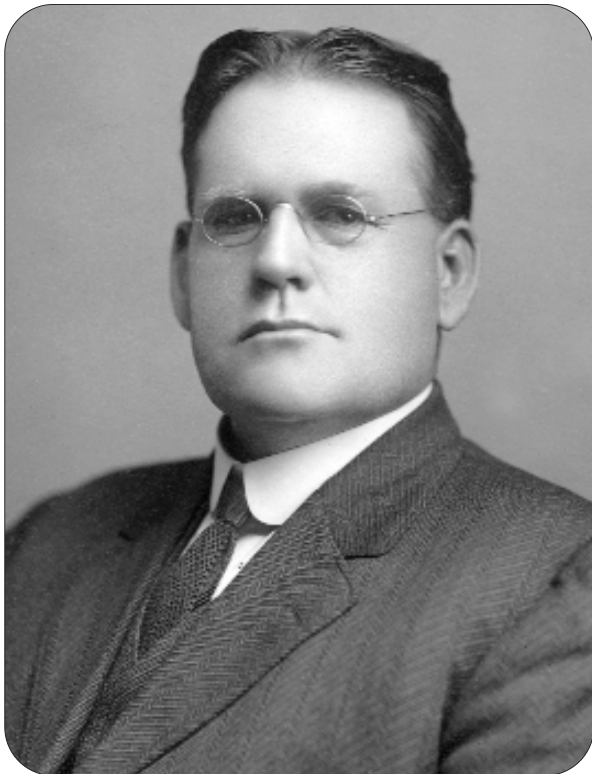
8. Several conflicting records exist regarding the death of Roy Martin. The proceedings of his trial have disappeared, and the only record of Louis Gregory that exists at the Wyandotte County Courthouse is a log-book listing case numbers. Gregory's case, number 3188, was omitted from the microfilm record. See Kansas State Penitentiary. Record of Prisoners Received In. ser. II, 205, Library and Archives Division, Kansas State Historical Society; *Kansas City Journal*, April 13, 14, 1904; Kim Warren, "Education for Citizenship: African Americans and Native Americans in Kansas, 1865-1935" (Ph.D. diss., Stanford University, 2003), 196-98; "The Yesterdays of Sumner," special supplement to *Kansas City Voice*, June 8-14, 1978; Susan D. Greenbaum, *The Afro-American Community in Kansas City, Kansas* (N.p.: City of Kansas City, Kans., 1982), 62-65; Dennis Lawrence, "The Impact of Local, State and Federal Government Decisions on the Segregation and Subsequent Integration of Sumner High School in Kansas City, Kansas" (Ph.D. diss., University of Kansas, 1997); Scottie P. Davis, *The Story of Sumner High School* (Kansas City, Kans.: N.p., 1935).

The first reports of Martin's death warned of the possibility of a "race war" erupting at the high school the following morning. Newspaper accounts describe the reaction of the white students as a demonstration. It is doubtful, however, that such an understatement would have been employed had the black students organized to prevent white children from attending school. Emotions ran high as the white boys formed a line across the schoolyard in front of their female counterparts who guarded the entrance. Convinced of the righteousness of the cause, the students refused to yield when officers arrived.¹⁰

9. Greenbaum, *The Afro-American Community in Kansas City, Kansas*, 65-66; Warren, "Education for Citizenship", 197; Nellie McGuinn, "The Kansas City, Kansas, Public School System, 1819-1961," 114-15 (manuscript, Kansas City Board of Education Archives, Board of Education Office, Kansas City, Kans.).

10. *Kansas City Journal*, April 13, 14, 19, 1904; *Kansas City Star*, April 13, 14, 15, 18, 1904; *Kansas City Times*, April 15, 1904; *Topeka Plaindealer*, April 22, 1904.

The police did not attempt to break the line, however, forming their own column in front of the male students, as if reinforcing the students with a second rank. In the distance a crowd gathered, waiting to see what would happen. Mayor T. B. Gilbert, Principal W. C. McCroskey, and Superintendent M. E. Pearson also were on hand, not to discipline the students or call them to their classes, but



During the demonstration at Kansas City High School Principal W. C. McCroskey and Superintendent M. E. Pearson (above) did nothing to enforce discipline among the white students who had formed a barrier to prevent black students from entering the school.

rather to counsel moderation in their display. Although the crowd that had gathered contained parents, police, teachers, and city and school officials, only one person made an attempt to enforce discipline. "A. A. Brooks, one of the oldest teachers in the school," the April 13 *Kansas City Star* reported, "talked to the boys from the front steps about being more careful in their expressions of resentment and conduct towards the negro pupils who were innocent of any crime. . . . This angered some of the hot headed youths and they wanted to pull Prof. Brooks from the steps."¹¹

11. *Kansas City Star*, April 13, 1904; Kansas City Board of Education Minutes, March 6, 1905, Kansas City Board of Education Office; *American*

The intrusion of the school's bell only intensified the quiet tension. None of the students answered its call, deliberately challenging anyone in authority to put an end to their insubordination. But no one in authority seemed disturbed by their actions, and time crept on until a group of senior boys who were only weeks from graduation decided to end the disturbance themselves. As they started up the steps they were met by a line of girls who declared that the boys must stay outside and help them "drive the negroes away." When the girls refused to budge, the senior boys were forced to use "foot ball tactics and rushed through the line of girls," gaining entry to the school while being subjected to kicks and fists as they broke through the line. The movement quickly lost steam after the seniors entered the school, but as the white students slowly resigned themselves to their classrooms, school officials prevented immediate reconciliation by barring black students from entering the building. African American students were advised to go home to avoid more trouble, and statements were made to the effect that if they did so the trouble soon would blow over.¹²

The Kansas City Board of Education called an emergency meeting for Thursday evening, April 14, to address the disturbance at the high school and "to settle the race difference." Records of this meeting are limited but support the conclusion that board members had no intention of punishing the students who participated in the disturbance. Immediately after the meeting was called to order, a motion was made that "the action of Supt. Pearson in closing the school until the next Monday be ratified." The motion was approved unanimously without any recorded discussion. Subsequently, the *Star* found much support in the city for leaving the school closed "for the balance of the term," and, more significantly, "in favor of separate high schools."¹³

Even after the white students forced the closing of the high school, local papers chose to focus on the "lawless" actions of those blacks who sought to protect Louis Gregory. The defendant's guilt was a forgone conclusion among reporters who referred to him as the "young negro murderer" while the black men who stood guard to prevent mob violence were blamed for the resulting hysteria and

Citizen (Topeka), February 17, 1905. The following year, upon the recommendation of Superintendent Pearson, Brooks was replaced as a direct result of his attempt to enforce discipline.

12. *Kansas City Star*, April 13, 1904; *Kansas City Journal*, April 14, 1905.

13. Kansas City, Kansas, Board of Education Minutes, April 14, 1904; *Kansas City Star*, April 14, 15, 1904.

were fined by local judges. The *Star* reported that these actions forced the chief of police to issue specific orders “against allowing armed bands of negroes to congregate on the streets.” The paper also complained that these men insulted whites who were passing by the courthouse and county jail between the hours of two and four o’clock in the morning by demanding to know their business. The *Star* reported that “the negroes seemed to want trouble,” but remained curiously silent on the intent of the whites who also had stood outside the jail at this odd hour.¹⁴

The funeral service on Sunday, April 17, seemed to bring a spirit of reconciliation to the city, as a crowd of two thousand listened to Methodist Reverend W. H. Comer pray for divine forgiveness for Louis Gregory. That same day religious leaders throughout the city held special services counseling kindness and brotherly love in response to the turmoil at the high school. Reverend Frank Fox of the First Congregational Church delivered a sermon entitled “The Only Possible Solution to the Race Problem.” In this sermon the reverend condemned the violence and disruption of the previous week but gave divine sanction to the actions of would-be segregationists by accepting their views about the inherent differences between whites and blacks. His viewpoint led him to conclude that separation was the only solution. “The negro race is here to stay,” the reverend continued. “No human power can ever remove them from our midst. They are the nation’s care and the white man’s burden.”¹⁵

Although the hostility of the previous week had faded, it was still uncertain how the students would respond on Monday morning when classes resumed. In contrast to the previous week, special officers were posted in advance to prevent another demonstration. The students wisely perceived that further disturbances would not be tolerated, with white students who had previously resolved to prevent blacks from entering apparently experiencing a sudden change in heart. Although more than fifty students stayed home or refused to attend classes that day, many of the children were escorted by their parents and compelled to enter the building. One of the first parents to do so was former Tennessee adjutant general Colonel Charles Wood, a man who had dropped out of West Point when a black student was admitted in 1883.¹⁶

Black newspapers conveyed a different interpretation of the trouble at the high school, questioning the role of the parents and administrators who allowed the white students to take over the schoolyard and threaten their peers. For the editors of the *Topeka Plaindealer*, the fact that few efforts were made to control the disturbance was evidence of tacit approval by school officials. “Teachers should have insisted on order” and expelled those who were unwilling to obey; and, besides, “The pupils who started this uproar in the school are not as much responsible for their actions as their parents who undoubtedly must have taught them race prejudice.”¹⁷

Believing that the race question would become a major election issue in the fall, leading candidates were immediately pressed to identify their stand on the issue of a separate high school for black students. Republican candidates, who were dependent upon the black voters of the city, were reluctant to talk openly about the issue of segregation. Edward K. Robinett and James F. Getty, who later would sponsor a bill to amend the school law, issued vague statements claiming they would support “what the majority of people want” while assuring black leaders in private that they would not support any measure expanding segregation.¹⁸

Black and white children continued to attend the high school together for nearly a year without incident and with only one administrative change: cancellation of the city-wide eighth-grade graduation. School administrators justified the decision to have each of the segregated middle schools host its own graduation by declaring it a means of avoiding another disturbance. Since there had been no further problems and was no real reason to anticipate any, it seems likely that school officials who favored segregation feared a successful graduation ceremony involving white and black eighth graders would undermine their arguments for the necessity of separation.¹⁹

If the school board and its appointed leaders were still clamoring for separate schools during the fall of 1904 and winter of 1905, the people of Kansas City were less concerned. Leading newspapers do not record any mention of the issue until a public meeting was called on February 13, 1905, only a couple days before the deadline for new bills to be introduced before the state legislature. When few

14. *Kansas City Star*, April 13, 16, 1904.

15. *Kansas City Times*, April 18, 1904.

16. *Kansas City Star*, April 18, 1904; *Kansas City Journal*, April 19, 1904; *Handbook of the Kansas Legislature, 1905* (Topeka: Crane and Co., 1905), 87, 192.

17. *Topeka Plaindealer*, April 15, 22, 1904.

18. *Kansas City Star*, April 15, 1904; *Vindicator* (Coffeyville), February 17, 1905.

19. Kansas City, Kansas, Board of Education Minutes, May 2, 1904.

people attended this meeting, plans were made to artificially resuscitate the campaign. The next morning the white students held their own meeting during school hours in the auditorium of the high school. Most local newspapers reported this meeting as being student-led and spontaneous in nature, but the black press claimed that the students were actually called to the auditorium by the principal with the support of faculty in order to restore the agitation for separate schools. Although this conclusion is strongly supported by the fact that no suspensions or other punishments were issued, Principal McCroskey “emphatically denied” an complicity. His February 1905 correspondence with Governor Hoch provides additional insight as well. McCroskey explained Kansas City’s unique racial situation, and then essentially threatened the governor with more of the same during the 1905–1906 term if the “separate school bill” were not allowed to become law.²⁰

Regardless of whether the administration called the meeting, clearly the teachers and administrators pushed the students to action. Rather than calling on the students to return to their classes, Superintendent Peterson merely counseled moderation, addressing the group in the capacity of a featured speaker rather than a disciplinarian and warning students that violence would hurt their cause. With the support of the administration, which also gave the students permission to leave the grounds in the middle of the day, many students circulated a petition urging the repeal of the law prohibiting segregated schools at the secondary level. Local newspapers reported that between the hours of 11:30 A.M. and 1:30 P.M., approximately two hundred students obtained the signatures of ten thousand Kansas City taxpayers, an amazing feat considering that total white population of the city was below forty-five thousand at the last census.²¹

Whites who advocated segregation proclaimed themselves experts on the needs and wants of the black community, claiming that a separate high school would benefit black children and was supported by black leaders. Although those who voiced these opinions may have been at-

tempting to satisfy their own moral reservations, facts do not support their statements. Every black leader who spoke out on the high school issue opposed separation, including the most well-known and influential black educator in the state, William T. Vernon, president of Western University and future registrar of the United States Treasury. White political and business leaders frequently misrepresented Vernon as supporting the campaign for a separate school despite his public statements to the contrary. In fact, Vernon refused to support the campaign even when these leaders threatened to block funding allocations for his school.²²

Perhaps the best rejoinder to those whites who hid behind the argument of segregation in the interests of blacks children came from a southeastern Kansas woman. Writing in response to a similar campaign to segregate the schools of Parsons, Aritha A. Dorsey, an African American teacher, poignantly exposed the duplicity of this view. “After all these years of mixed schools,” Dorsey wrote, “what is it which has caused the white people of late years to become so VERY much interested in the welfare of the colored children that they try to make us believe that they don’t think the colored children get their rights in mixed schools, and for this reason wish to have them established off to themselves?”²³

The *American Citizen* considered the campaign to be the nadir of race relations in Kansas City, claiming that the disturbance at the school was the worst of its kind that had ever been witnessed in the city and emphasizing the relative harmony of the two races prior to the disturbance. Black writers throughout the state challenged the assumption that the students were acting on their own behalf; arguing that parents and school officials were to blame for the students’ behavior. “The attempt to crystallize the sentiment, that the present action of the Kansas City children, is being wholly inspired and engineered by themselves, is all bosh,” reported the Coffeyville-based *Vindicator*. “Their action is directly in accord with the dictations of their lilly white Republican and Populist parents, who have not the courage and Back-bone to openly identify themselves with this damnable movement.”²⁴

In response to articles printed by the *Kansas City Star*, which asserted that African Americans were opposed to

20. *Kansas City Star*, February 14, 15, 16, 1905; *Kansas City Journal*, February 15, 1905; *Topeka Daily Capital*, February 15, 1905; *Topeka Plaindealer*, February 24, 1905; W. C. McCroskey to Edward W. Hoch, February 20, 1905, Correspondence Files, box 20, Edward W. Hoch Administration, Records of the Governor’s Office, Library and Archives Division, Kansas State Historical Society, hereafter cited as Governor’s Records.

21. *Kansas City Star*, February 14, 15, 16, 1905; *Kansas City Journal*, February 15, 1905; *Topeka Daily Capital*, February 15, 1905; *Topeka Plaindealer*, February 24, 1905; U.S. Bureau of the Census, *Twelfth Census: Population*, 1900.

22. *Kansas City Journal*, February 23, 1905; *Topeka Plaindealer*, June 24, 1904.

23. *Topeka Plaindealer*, June 24, 1904.

24. *Vindicator*, February 17, 1905; *American Citizen*, February 17, 1905.

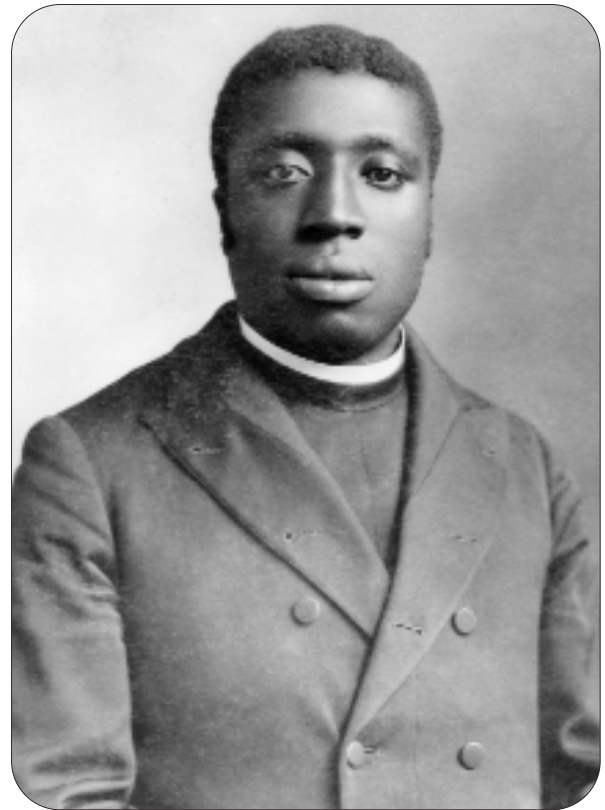
separate schools because of the superiority of white teachers, the *Vindicator* made it clear that this argument held “not the slightest resemblance of truth.” The black weekly also replied to the *Star*’s contention that blacks desired white classmates and teachers because “a higher degree of culture and refinement is attained by the negro boys and girls being associated in the same high school as whites.” The author used the example of a prominent white banker who was verbally abusive to black children in his neighborhood as an index of the “culture and refinement” the *Star* was referring to, concluding that such qualities were vastly overrated. The Kansas City’s *American Citizen* also countered the *Star*’s argument by reminding readers of the intrinsic benefits a large school offered in terms of electives and classroom facilities.²⁵

The student petition, which had been organized and pasted together on a roll of muslin by students and teachers, was frequently cited as evidence of the necessity of separating the white and black students of Kansas City and was presented to the state legislature. Its validity, however, was frequently challenged by members of the black community. A careful analysis of the original petition reveals that many who signed it also signed for multiple family members. More important, only a few different individuals produced many sheets of signatures, with the majority of the names bearing familiar handwriting when compared with other signatures on the same pages. Members of the black community later circulated a counter-petition, bearing the signatures of approximately 3,370 persons opposed to the expansion of segregation.²⁶

Due to the opposition by members of the black community who regularly accounted for 15 to 20 percent of Kansas City voters, it appeared for a time as though a bill to expand segregation might never be introduced before the legislative deadline approached. The *Kansas City Star* reported an eleventh-hour story that indicated none of the members of the Wyandotte delegation were willing to sponsor the bill. “All are willing to support the bill when they hear from the people,” the paper explained, “but each wants the other to introduce it.” Perhaps owing to the fact

that he was the only member of the state legislature to attend a public meeting on the subject the evening prior, Kansas City Representative Robinett ultimately agreed to introduce the bill the following day.²⁷

Armed with the student’s petition, Robinett attempted to slip the bill through the house with a batch of inconsequential local bills on February 16, 1905. When the magni-



Every black leader who spoke out on the high school issue opposed separation, including the most well-known and influential black educator in the state, William T. Vernon (above), president of Western University and future registrar of the United States Treasury.

tude of the new law was discovered, however, a motion to reconsider the bill was immediately approved with only nine members of the chamber opposed. Although the house approved the measure the following day, it passed the lower chamber with only three votes above a constitutional majority. A personal confrontation between Robinett and Representative William A. Trigg of Garnett nearly re-

25. *Kansas City Star*, February 15, 1905; *Vindicator*, February 17, 1905; *American Citizen*, February 17, 1905.

26. *Kansas City Journal*, February 18, 1905; *Topeka State Journal*, February 18, October 11, 1905; *Topeka Plaindealer*, February 24, 1905; “Petitions from Citizens of Kansas City, Kansas in regard to race segregation in the schools,” boxes 19–22, Governor’s Records. Many signatures on the counter petition also appear to be written by the same hand, yet a larger percentage appears to be unique than in the petition circulated by the students on the afternoon of February 14, 1905.

27. *Kansas City Star*, February 16, 1905; Randall B. Woods, “Integration, Exclusion, or Segregation? The ‘Color Line’ in Kansas, 1878–1900,” *Western Historical Quarterly* 14 (April 1983): 186.

sulted in the bill being reconsidered for the second time. It was revealed that Trigg, who had expressed his opposition to the bill, found himself on the receiving end of a profane reply uttered by Robinett. House members then gathered around Robinett's desk, threatening to change their votes until he made a public apology.²⁸

Senator James F. Getty of Kansas City sponsored the bill in the senate the following day. By this time the galleries were full of members of the African American community who had traveled to Topeka to voice in person their opposition. At



Senator James F. Getty (above) and Representative Edward K. Robinett (right) introduced a legislative bill that allowed segregation in Kansas City High School.



first it seemed their presence had swayed the tide, as the bill was defeated by the vote of twenty-four opposed and fifteen in favor. In response, Getty motioned for a suspension of the rules, asking the chair to disregard the vote and forward the bill for revisions to the Committee on Cities of the First Class. Lieutenant Governor David J. Hanna, as president of the senate, granted this motion, and the committee, chaired by Senator Getty himself, returned the bill back to the floor of the senate in less than an hour. The amended bill was different only in that it applied specifically to Kansas City rather than all cities with populations above fifty thousand. Although his was the only city that

28. *Kansas House Journal*, February 16–17, 1905, 514, 552, 562; *Topeka State Journal*, February 17, October 11, 1905; *Kansas City Star*, February 17, 1905; *Kansas City Journal*, February 18, 1905.

met the population criteria, Getty was aware that some had voted against the measure because they opposed the possibility of expanding segregation in their own counties. With the bill now phrased as a piece of local legislation, Getty hoped his colleagues would allow the measure to pass.²⁹

The amended version of the bill passed the senate with only two votes above a constitutional majority, the result of more than one-third of the membership abstaining from the question. Even after both chambers passed the revised bill, the African American press assured its readers that the governor would veto the segregation bill. If any of their elected representatives would take a stand on the issue, members of the black community were sure it would be Governor Hoch. As a Republican, Hoch relied heavily upon the black vote and made frequent statements favoring equality when speaking to African American voters. Even more encouraging was the report of the Kansas Equal Rights Association, whose interracial membership met with the governor on the subject and returned with a promise from Hoch that “he would do all in his power to prevent the passing of any law applying to any particular race—especially the colored people.”³⁰

White legislators from Kansas City were so concerned that the governor would veto their bill that they threatened black leaders and initiated a letter-writing campaign to pressure the governor. The Wyandotte County delegation went so far as to promise to “knock out the appropriations” for Western University, an institution within their own jurisdiction, if Hoch took action against their bill. Despite his promises to his black constituents, political pressure caused the governor to consider the bill for several days. It is clear that the governor did not agree with the measure, but he also wished to avoid taking a stand that might cost him politically. Citing overwhelming public opinion, the governor signed the bill into law on February 22, 1905. He included an apologetic explanation of his actions in which he detailed his abolitionist heritage and cited “local conditions” as necessitating the separation. In his statement the governor condemned segregation as “a concession to the Southern ideas” as well as a “step backwards” in race relations, but emphasized that he felt public sentiment necessitated the action.³¹

29. *Kansas Senate Journal*, February 17, 1905, 360–3; *Kansas City Journal*, February 18, 1905; *Topeka Plaindealer*, February 24, 1905.

30. *Topeka Plaindealer*, February 24, June 2, 1905; *Kansas City Star*, February 17, 18, 1905; Jennie Small Owen and Kirke Mechem, *Annals of Kansas, 1886–1925*, Vol. 1, 1886–1910 (Topeka: Kansas State Historical Society, 1954), 420.

31. *Kansas City Star*, February 18, 1905; “Message From the Governor,” 723.

The “public sentiment” the governor cited likely was the product of letters and telegrams sent by those on both sides of the issue. Out of twenty-two surviving letters and thirty-five telegrams that appear among Governor Hoch’s papers, nearly one-third of them actually were written in opposition to the segregation bill. It is important to note that two letters calling for segregation came from Principal McCroskey, while an official telegram sent from the clerk of the Board of Education contains a statement approved by the entire board urging the governor to sign the bill and promising equal facilities and funding if approved.³²

Following the passage of the bill and the governor’s approval, African American leaders expressed shock and disappointment. Although the black press spoke out strongly against the actions of the Wyandotte County legislators, they reserved their harshest criticism for Governor Hoch. Black editors took the governor to task for his hypocritical stand on the race issue—boasting of his abolitionist pedigree while signing a bill that expanded segregation. For nearly a month the *Plaindealer* ran several articles denouncing the governor in the harshest of terms, using headings such as “Hoch Enslaves Kansas Blacks” and “Undoing the Work of Old John Brown.” The article left no question that the editors of the paper felt the maintenance of separate schools was analogous to second-class citizenship. “The enactment of separate laws for black and white people in this country,” the paper declared, “is no more nor less than partial slavery.” Nick Chiles of the *Plaindealer* likened the betrayal of Hoch to that of another governor two millennia prior:

We are forcibly carried in our mind’s eye back to the days of Pontius Pilate, when he said: “I find no fault in this innocent man. Take him and do unto him according to your custom. I wish to wash my hands of any blame,” and still knowing the Negro to be blameless, Gov. Hoch knuckles to the clamor of a few of the dominant race and turns the victim over into the hands of the enemy to be crucified on a cross of prejudice and hatred.³³

Although McCroskey and other school officials claimed impartiality regarding the campaign to expand segregation, their reaction to its passage was revealing.

32. F. G. Horseman to Edward W. Hoch, February 18, 1905, Governor’s Records.

33. *Topeka Plaindealer*, February 24, March 3, 1905; *Vindicator*, February 24, 1905.

“Good news! Good news!” exclaimed Board of Education President Alfred Weston upon learning of the bill’s passage. “I am certainly glad to hear it. Now the thing to do is to immediately take up the matter of voting bonds for the erection of a suitable school for the negroes.”³⁴

The irony of the board’s reaction was intensified by the passage of a resolution against gender discrimination in

UNDOING THE WORK OF OLD JOHN BROWN!

Dissatisfied With That Which the Pioneer
Kansans Fought to Uphold, Gov. Hoch
Hauls it Down and Puts up
the White South!

HOCH LIVED SOUTH TOO LONG!

The Spot Where He Stood and Clasped
Booker Washington by the Arm is
Burning With Shame and Disgrace!

Following passage of the bill and Governor Hoch’s approval, the *Topeka Plaindealer* ran several articles denouncing the governor in the harshest of terms. This article appeared in the February 24, 1905, issue.

the hiring of school principals just minutes before unanimously adopting a resolution for the construction of the new segregated high school. Perhaps in recognition of the incongruity of their actions, the resolution avoided any mention of race, instead relying on the assertion that “the present manual training high school facilities of Kansas City, Kansas are wholly inadequate,” and that a new manual training school was demanded by “the pupils of this city.” The student publications of Kansas City High School were equally delicate in reporting the matter, with the only mention of the entire affair appearing in the very back of the yearbook. The story reminded readers of the upcoming

34. *Kansas City Journal*, February 23, 1905.

bond election and emphasized the “great benefit” the new school would provide for their black classmates.³⁵

The bond election put those who had opposed the school in a difficult position, as many felt that voting against the bonds would simply deprive their children of a decent facility. Considering that the state legislature had already approved the concept of segregation at the high school level, most citizens understood that an unsuccessful bond election was not likely to result in the re-integration of the high school, rather a continuation of the current scheme of separate sessions or the attempt to pass a smaller bond issue. On June 9, 1905, the city council reviewed and approved the election results. It reported the final vote as 2,789 in favor with 554 opposed, with the measure passing in every ward of the city.³⁶

Although a handful of school leaders repeatedly claimed that racial disturbances were inherent in a “mixed” school, the African American press reminded readers that black and white children were quietly attending classes together as they had since the school was founded in 1879. Race relations in the city may have left a great deal to be desired, but the *Plaindealer* issued a challenge for anyone to identify the “local conditions” that demanded separation, promising that it would surrender its presses to whomever was able to do so. A survey of local newspapers, school board minutes, and student publications sustains the *Plaindealer*’s argument that black and white students had peacefully attended school together both before and after the death of Roy Martin.³⁷

If anything was unique about the local conditions of Kansas City, it was not the students’ disturbance during the spring of 1904 but rather the attitudes and actions of a handful of school officials in using the event as a pretext for segregation. Although the question of segregation would be a contentious issue in cities throughout the state,

only Topeka and Kansas City had enough black high school students to reasonably justify the maintenance of separate high schools during this period.³⁸

The establishment of separate schools was often viewed as a panacea among white Kansans, yet scarce funding meant that such a system was generally limited to urban school districts containing segregated neighborhoods. The low numbers of black middle school students and the existence of several black residential areas throughout Topeka only partly explains that district’s refusal to segregate its intermediate grades at this time. The actions of local leaders were equally important. A large group of white Topeka junior high students attempted to create a racial disturbance in September 1908 by refusing to attend school with black students as they had done since the time of the school’s founding. The disturbance was quickly suppressed as teachers and school administrators refused to be manipulated by student misconduct. Classes were not cancelled, and students were punished immediately. Furthermore, the superintendent held parents responsible for their children’s behavior, requiring the adults to also provide a written letter of explanation prior to accepting the student for readmission.³⁹

In Kansas City school officials were so zealous in their campaign to segregate the high school that they did not wait for a new facility to be constructed. During the 1905–1906 school year white students attended class in the morning between the hours of 8:00 A.M. and 1:00 P.M., and black students occupied the building between 1:15 P.M. and 5:00 P.M. Reflecting the prejudices many held about the desirability of providing higher education for black students, the afternoon session was officially referred to as “Manual Training High School” despite its identical curriculum.⁴⁰

Meanwhile, members of the black community took their fight to the courts, confident that the justice of their cause could not be denied by the branch of government re-

35. Kansas City, Kansas, Board of Education Minutes, March 6, 1905; *Jayhawker Senior Annual* (Kansas City, Kans.: Lane Printing Co., May 1905).

36. *Kansas City Star*, June 5, 7, 1905; Kansas City, Kansas, City Council Minutes, Regular Election Session, Friday June 9, 1905, Library and Archives Division, Kansas State Historical Society.

37. *Topeka Plaindealer*, February 24, 1905; *Kansas City Star*, April 13, 1904; Greenbaum, *The Afro-American Community in Kansas City, Kansas*, 64–65; Boone, *A History of Black Education in Kansas City, Kansas*; Minutes of the Kansas City, Kansas, City Council, 1894–1905; Boards of Education of Kansas City, Rosedale, and Argentine, Kansas, Minutes, 1898–1905, Kansas City Board of Education Office; 1904 *Jayhawker Senior Annual* (Kansas City, Kans.: Lane Printing Co., 1904); 1905, 1906 *Jayhawker Senior Annual* (Kansas City, Kans.: Lane Printing Co., 1906), *The High School Record*, vol. 1–4 (Kansas City, Kansas: Kansas City, Kansas, High School, 1899–1903); *American Citizen*, February 17, 1905; *Topeka Plaindealer*, February 24, March 10, 1905.

38. Racial demographics at Topeka High School were similar to those of the high school in Kansas City, Kansas, with 122 black students, or 11 percent of total enrollment in 1905. See *Annual Reports of First Class Cities to the State Superintendent of Education for the School Year Ending June 30, 1904*. A brief survey of the archives of the Topeka Board of Education reveals that students would be both formally and informally segregated within that school, their experiences typified by limited and segregated athletic and extracurricular activities. *Sixty-Two Years of History in the Topeka High School* (Topeka: College Press, 1932); Carper, “The Published Opinions of Kansans Concerning Education,” 88.

39. *Topeka Daily Capital*, September 12, 25, 1908; *Topeka Plaindealer*, June 24, 1904, October 2, 1908.

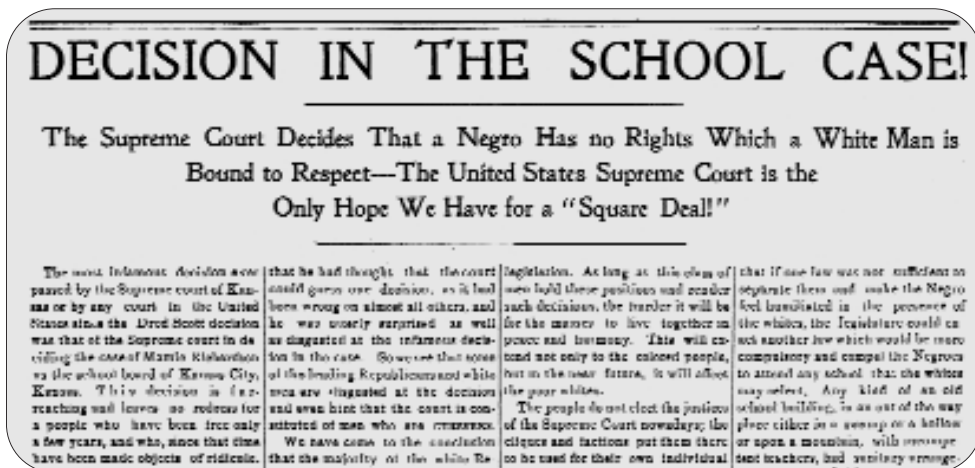
40. John A. Hodge, “Some Facts About Sumner High School” (manuscript, Sumner Collection, Kansas Collection, University of Kansas Libraries, Lawrence).

sponsible for enforcing such principles. More than a quarter of the black students violated the new regulations and attempted to enroll in the morning session of the school on September 11, 1905. Principal McCroskey turned the students away, telling them to return in the afternoon. One of the students was heard to ask, "Then you refuse to enroll us?" The principal explained that he had no authority to do so, and the students quietly left the building, satisfied that they now had the evidence needed to test the legality of the law.⁴¹

Black Kansas Citizens labored diligently as their campaign moved from the legislative and executive levels to the courts. The *American Citizen* reported that all economic classes contributed to a fund to help defray the expenses of the lawsuit, with even the smallest children donating their allowances to the cause. The case was brought under the name of Mamie Richardson, an eighteen-year-old student at the high school, and reached the Kansas Supreme Court on October 11, 1905. Balie P. Waggener, a prominent white attorney from Atchison, served as lead counsel for the plaintiff, arguing that the original statute that was amended to allow Kansas City to segregate its high schools was a general law providing for the maintenance of all high schools within all cities of the first class and therefore could not be amended to apply to only one city. Despite the technicality of this argument, Waggener and the other attorneys who presented the case made it clear that they were also questioning the legality of segregated schools in general. Their suit specifically stated that segregation was a violation of equal protection and was an attempt to abridge the privileges and immunities of the black citizens of Kansas City.⁴²

The actions of the black community challenged the opinions of many whites who had convinced themselves that blacks accepted or even favored the arrangement. The *Topeka Daily Capital* sought to calm its readers by reporting that "only a few of the leading negro citizens of Kansas

City, Kansas, appeared to know anything of a movement to test the key high school law." The paper also reported that these individuals "expressed themselves as being satisfied with the plans of the board of education to build for the negro pupils a manual training high school." The paper failed to identify which "leading negro citizens" were surveyed.⁴³



The case against high school segregation was brought under the name Mamie Richardson, an eighteen-year-old student, and reached the Kansas Supreme Court on October 11, 1905. Despite the strength of the arguments, the Kansas Supreme Court refused to counteract the legislature. The Topeka Plaindealer reported the outcome in its January 12, 1906, issue.

The school board tacitly acknowledged the merit of the Richardson lawsuit by holding a special meeting on October 25, 1905, to discuss the case and devise a strategy. The board voted to delay the issue of bonds and the construction of the school until after the case was decided by the court. Even those who favored segregation publicly voiced concerns that Waggener was correct in his appraisal of the legal issues in question. In fact, Senator Getty and other sponsors of the bill had originally framed the amendment to apply generally to all cities with populations greater than fifty thousand for this very reason. The change was made only out of dire necessity after the measure had been defeated in the state senate in its original form. Although Getty understood that the validity of his amendment was questionable, he publicly declared his willingness to make the change and "take his chance[s] in the courts."⁴⁴

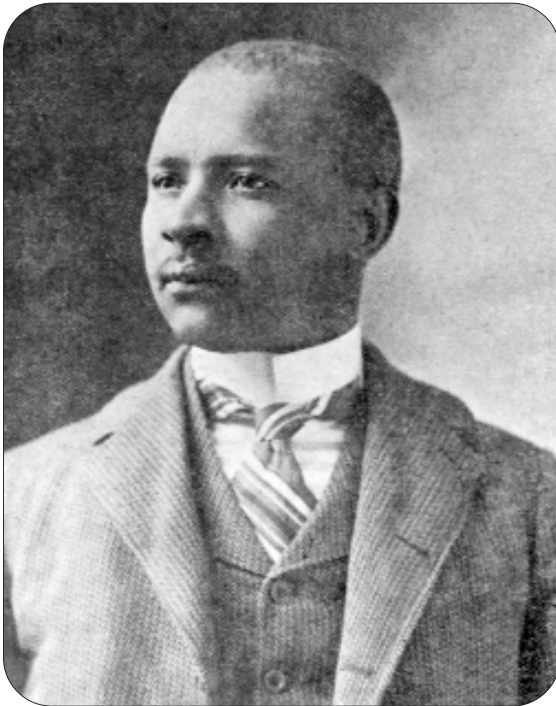
41. *Topeka Daily Capital*, September 12, 1905.

42. *Mamie Richardson v. The Board of Education of Kansas City, Kansas*, 72 Kan 629 (1906); Neuenswander, "A Legal History of Segregation in the Kansas Public Schools," 61–63; *Topeka State Journal*, October 11, 1905; *American Citizen*, September 29, October 20, 1905.

43. *Topeka Daily Capital*, September 12, 1905; Owen and Mechem, *Annals of Kansas*, 425.

44. Kansas City, Kansas, Board of Education Minutes, October 25, 1905; *Sumner Courier*, March 16, 1940; *Kansas City Star*, February 8, 1905; *Kansas City Journal*, February 18, 1905.

Despite the strength of Waggener's arguments, the Kansas Supreme Court refused to counteract the legislature, upholding the law with only one dissent. The court also chose to ignore the larger question of whether separate schools violated the guarantee of equal protection provided by the Fourteenth Amendment. The solitary dissent came from Justice Rousseau A. Burch who disagreed with



The Plaindealer referred to the Richardson case as "the most infamous decision ever passed by the Supreme court of Kansas." "So absurd and contemptible was the decision," wrote Nick Chiles (above), "that it aroused the body of old John Brown, who turned over in his grave, and Kansas experienced an earthquake on Sunday."

the decision not because he opposed segregation, but rather because he felt the technical argument presented by Waggener had not been adequately explored.⁴⁵

The African American press was once again left with little to do but express its indignation. The *Plaindealer* referred to the Richardson case as "the most infamous decision ever passed by the Supreme court of Kansas or by any court in the United States since the Dred Scott decision." "So absurd and contemptible was the decision," wrote

45. *Topeka State Journal*, January 6, 1906; *Mamie Richardson v. The Board of Education of Kansas City*, 637.

Nick Chiles, "that it aroused the body of old John Brown, who turned over in his grave, and Kansas experienced an earthquake on Sunday."⁴⁶

School records give no indication of any student disturbances during the year, and it is likely that the black and white pupils simply ignored one another during the interval between the morning and afternoon sessions. As the graduating class of 1906 prepared to receive their diplomas in a segregated ceremony, salutatorian Helen Glasscock addressed her fellow white students from the podium. "The tendency of education," she said, "has always been to make people as similar as possible." It is doubtful whether she or any of her peers grasped the tragic irony of this statement. Rather than bridging the gap between themselves and their black classmates, students and faculty used the educational system to prevent such progress because of the imagined differences they had constructed.⁴⁷

Despite the regretful circumstances that surrounded its inception, Sumner High quickly became an outstanding school and a source of pride for the African American community of Kansas City. Within its first decade Sumner was awarded accreditation by the North Central Association of Secondary Schools and Colleges, an honor shared by only the best high schools in the state. In comparison to other regions that claimed to follow the principle of "separate but equal," Kansas City school officials provided roughly equivalent funding and facilities in the decades that followed. A large percentage of Sumner faculty held advanced degrees and utilized this experience to provide their students with an education that was "better than fifty per cent of the schools of [the] state" according to a white educator who feared that such a statement might endanger his professional reputation. Although this endorsement of Sumner spoke well for the students and faculty, the apprehension with which it was delivered illustrates the kind of assumptions that would prevent its graduates from experiencing the same opportunities as white graduates of lesser schools. No matter how many advanced courses were offered at Sumner, the ignorance and influence of lesser men and women still proved the greatest obstacle.⁴⁸

46. *Topeka Plaindealer*, January 12, 26, 1906.

47. 1906 *Jayhawker Senior Annual*.

48. Sumner High School file, Kansas City Board of Education Archives; *Kansas City Voice*, June 8-14, 1978; Greenbaum, *The Afro-American Community in Kansas City, Kansas*, 69; Jeffrey A Raffel, *Historical Dictionary of School Segregation and Desegregation: The American Experience* (Westport, Conn.: Greenwood Press, 1998), 33.

The legacy of Sumner High will always be ambiguous. While it was the most visible symbol of segregation in Kansas, it was also a pillar of strength within the African American community. Rather than abandon the fight they started when they opposed the school's creation, these men and women directed their efforts inward, creating a unique bond between school and community. As a result, Sumner provided greater academic and extracurricular opportunities for its students than were typically available in the "mixed schools" of the state. Yet Sumner's very success also worked to solidify segregation throughout the city and served as validation in the minds of many Kansans that blacks and whites should live separately from one another. Even Sumner's integration as a magnet school in 1978 was ambiguous. Members of the black community believed strongly in the goal of integration yet expressed sadness because they had lost more than a school. One can only imagine how a community would be affected if many of its children were bused miles away to various neighboring communities.

The story of Sumner High helps explain the ambiguous nature of race relations in the Sunflower State. More important, it is an excellent model for understanding the dynamics of racial discrimination in an environment where such lines were still being drawn. Kansas City whites were anxious about the growing black population, yet segregation did not occur automatically once that population hit a predetermined level. Like the Wyandotte legislators who hoped a colleague would introduce the bill, white Kansans favored segregation privately but were cautious in their outward expressions of support. In contrast to other regions of the nation, Kansans could not hide their support of segregation on the basis of tradition because those racial lines had not yet been drawn. As a result, the death of Roy Martin and the resulting aftermath is significant, but not as a matter of confirming real or imagined fears of racial violence. Had Kansas City whites shared such paranoia, the campaign to segregate the school would not have lasted two years. Instead, these events gave a handful of individuals the pretext to push for segregation under the guise of necessity while protecting their supporters. The transparency of this pretext was so apparent

that some whites welcomed any opportunity to insulate themselves further, allowing and even encouraging their children to join the charade while hiding behind their own fabrications about the best interests of those they sought to remove.

The story of Sumner High will likely never achieve the fame of traditional civil rights narratives such as the Mont-



The legislation allowing segregation in Kansas City High School resulted in the creation of Sumner High School (above), which opened its doors to primarily black students following the 1905–1906 school year.

gomery Bus Boycott or the Little Rock Nine, yet its lessons may be more valuable in an era where race relations are more nuanced than they were in Alabama and Arkansas during the height of the Civil Rights Movement. While few episodes can match the emotional appeal of the Emmett Till case or the drama that unfolded in Selma, Alabama, in 1965, using only historical events of a single time or region creates a false sense of separation, leading many to at least subconsciously consider race to be a regional problem of the past. Local histories such as Sumner High not only counter these myths, they are useful for understanding race relations during times and within places that are more similar to the challenges society faces today. Perhaps most important, local history reminds us that the battle for civil rights is a constant struggle involving millions of people during every era and within every community. 